

Message Text

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PAGE 01 STATE 017933
ORIGIN SCS-06

INFO OCT-01 NEA-10 ISO-00 L-03 H-02 INSE-00 /022 R

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P 232244Z JAN 78
FM SECSTATE WASHDC
TO AMEMBASSY DAMASCUS PRIORITY

UNCLAS STATE 017933

E.O. 11652: N/A

TAGS: CASC(ARNISS, MOHAMMAD DIB)

SUBJECT: W/W MOHAMMAD DIB ARNISS

REF: DAMASCUS 446

1. DEPARTMENT APPRECIATES INFORMATION OBTAINED FOR
MRS. ARNISS REGARDING COMMUNICATION WITH HER HUSBAND.
TRUST YOU WILL FORWARD ANY LETTERS FOR HIM YOU MAY HAVE
RECEIVED FROM HER.

2. DEPARTMENT SOMEWHAT DISMAYED BY ADVICE IN SECOND PARA-
GRAPH REGARDING CUSTODY. AS WE UNDERSTAND CASE, MR. AND
MRS. ARNISS STILL MARRIED AND THERE HAS BEEN NO RPT NO
CUSTODY DECISION OR A DISPUTE BETWEEN THE TWO PARENTS.
LACKING COURT ORDER REGARDING CUSTODY BOTH PARENTS NORMALLY
CONSIDERED TO BE CUSTODIANS. EVEN IF U.S. CUSTODY ORDER
EXISTED, GENERALLY METHOD OF MAKING IT APPLICABLE ABROAD
REQUIRES CUSODIAL PARENT TAKE ACTION BY HIRING A LOCAL
ATTORNEY AND ACTING UPON THAT ATTORNEY'S ADVICE.
STANDING INSTRUCTIONS GIVEN BY DEPARTMENT IN SUCH
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PAGE 02 STATE 017933

CASES INSTRUCT PARENTS TO OBTAIN COURT ORDER IN AREA WHERE
CHILD PHYSICALLY LOCATED. PLEASE ADVISE DEPARTMENT,
HOWEVER, IF YOU ARE AWARE OF LEGAL MECHANISM IN SYRIA FOR
APPLYING U.S. COURT ORDERS.

3. DEPARTMENT UNDERSTANDS THAT MRS. ARNISS FILED IR
PETITION SOME MONTHS AGO BUT THAT INS NEW YORK ASSURED HER

THAT THERE WOULD BE AT LEAST EIGHT MONTH DELAY IN PROCES-
SING. SHE IS UNABLE TO OBTAIN SUFFICIENT FUNDS TO TRAVEL
TO DAMASCUS TO FILE PETITION THERE. VANCE

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